

10-01-01
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-66038-4/RMS/JJD/DLR

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION FEE, WASHINGTON, DC 20231.

TYPED NAME DARRYL KRIEGER

SIGNED

Anticipated Classification of this Application:

Class: Subclass:

Application

Serial No.: 09/076,624

Filed: May 12, 1998

Assistant Commissioner for Patents
BOX PATENT APPLICATION FEE
Washington, DC 20231

Sir:

This is a request for filing:

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

DAVID A. FERRICK, SUSAN E. SWIFT, RANDALL ARMSTRONG and BRYAN FOX

(Names of ALL Applicants)

for METHODS AND COMPOSITIONS FOR SCREENING FOR MODULATORS OF
IGF SYNTHESIS, SECRETION AND SWITCH REARRANGEMENT
(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/076,624, filed on May 12, 1998.

1. (a) ☐ Enclosed is a new application.
- (b) ☐ Enclosed is a continuation-in-part application.
- (c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
- (b) ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. ☒ Applicant claims small entity status. See 37 CFR 1.27.
4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$710
TOTAL CLAIMS	7 - 20 =	0	x 9 =	\$	x 18 =	\$
INDEP CLAIMS	1 - 3 =	0	x 40 =	\$	x 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED	X NO		+135 =	\$	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$355	TOTAL	\$

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (File No. A-66038-4/RMS/JJD/DLR).
6. ☒ Our check in the amount of \$ 355.00 is enclosed.
☐ The filing fee is NOT being submitted with this transmittal letter.
7. ☒ Cancel in this application original claims 2-28 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:
 --This is a ☒ continuation ☐ divisional ☐ continuation-in-part
 of application Serial No. 09/076,624 filed May 12, 1998, which is incorporated herein by reference in its entirety.--
9. (a) ☒ 26 sheets of informal drawings are enclosed.
 (b) ☐ sheets of formal drawings are enclosed.
10. (a) ☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.
 (b) ☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
11. ☒ The prior application is assigned of record to Rigel Pharmaceuticals, Inc.
12. ☒ The power of attorney in the prior application is to:
 Name: FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
 Address Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
- (a) ☒ The power appears in the original papers in the prior application.
 (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 (c) ☐ A new power has been executed and is enclosed.
 (d) ☐ Address all future communications to:

ROBIN M. SILVA
 FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
 Four Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (650) 494-8700
 Fax: (650) 494-8771

13. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/076,624 as originally filed on May 12, 1998.

Date: Sept. 27, 2001 Signature: James J. Diehl
 James J. Diehl, Reg. No. 47,527 for
 Robin M. Silva, Reg No. 38,304

Address of Signer:

FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 4 Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (650) 494-8700
 Fax: (650) 494-8771

- ☒ Attorney or agent of record
☐ Filed under Section 1.34(a)